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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA- OAKLAND DIVISION

ELAINE TIFFANY, and SHANNON	)	CASE NO. C-06-2524 SBA
WHITEHEAD, individually, and on behalf	)	
of all others similarly situated,	)	ORDER GRANTING PRELIMINARY
	)	APPROVAL OF CLASS ACTION SETTLEMENT
	)	
Plaintiffs ,	)	
	)	
vs.	)	Hon. Sandra B. Armstrong
	)	
HOMETOWN BUFFET, INC., and DOES 1	)	
through 50, inclusive,	)	
	)	
Defendants.	)	
	)	
	)	

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1 The Court has before it the unopposed motion by plaintiffs Elaine Tiffany and Shannon  
2 Whitehead (the "Plaintiffs") for preliminary approval of a proposed class action settlement with  
3 defendants Hometown Buffet, Inc. and OCB Restaurant Company, LLC (collectively "Hometown  
4 Buffet"). The Court hereby finds and orders as follows:

5 1. The Court finds on a preliminary basis that the settlement memorialized in the Stipulation  
6 of Class Action Settlement ("Stipulation"), filed with the Court, falls within the range of reasonableness  
7 and therefore meets the requirements for preliminary approval.

8 2. The Court conditionally certifies for settlement purposes only the following class  
9 ("Settlement Class"): "All individuals who were employed in a company-owned Hometown Buffet, Inc.  
10 and/or OCB Restaurant Company, LLC restaurant in California between November 22, 2000 and the  
11 date of this Order, in any of the following salaried positions below the level of General Manager:  
12 Service Manager, Assistant Service Manager, Kitchen Manager, Assistant Kitchen Manager, and/or  
13 Food Bar Manager."

14 3. The Court finds, for settlement purposes only, that the Settlement Class meets the  
15 requirements for certification under Fed.R.Civ.P. 23(a) and 23(b)(3) in that: (1) the Settlement Class,  
16 which consists of approximately 700 members, is so numerous that joinder is impracticable; (2) there  
17 are questions of law and fact that are in common to all Settlement Class members, which common  
18 questions predominate over individual issues; (3) Plaintiffs' claims are typical of those of the Settlement  
19 Class members; (4) Plaintiffs and their counsel will fairly and adequately protect the interests of the  
20 Settlement Class; and (5) a class action is superior to other available methods for the fair and efficient  
21 adjudication of the controversy.

22 4. The Court appoints, for settlement purposes only, plaintiffs Elaine Tiffany and Shannon  
23 Whitehead as Class Representatives.

24 5. The Court appoints, for settlement purposes only, the law firm of Dostart Clapp Gordon  
25 & Coveney, LLP as Class Counsel for the Settlement Class.

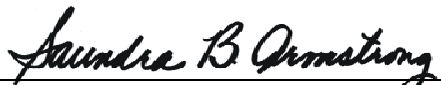
26 6. The Court appoints Rust Consulting as the Claims Administrator.

27 7. The parties are ordered to carry out the settlement according to the terms of the  
28 Stipulation.

8. The Final Approval Hearing is set for January 15, 2008 at 1:00 p.m.

IT IS SO ORDERED.

DATED: 9/12/07

  
\_\_\_\_\_  
HON. SAUNDRA B. ARMSTRONG  
United States District Judge

APPROVED AS TO FORM:

Dated: August 1, 2007

DOSTART CLAPP GORDON & COVENEY, LLP

  
\_\_\_\_\_  
J. KIRK DONNELLY  
Attorneys for Plaintiffs

Dated: August 2, 2007

LITTLER MENDELSON APC

  
\_\_\_\_\_  
ROD M. FLIEGEL  
Attorneys for Defendants